IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE

WRIT PETITION NO.2835 OF 2005

Office Notes, Office Memoranda of Coram, appearances, Court's orders or directions and Registrar's orders.

Court's or Judge's orders

Mr. R.V. More for the Petitioner

CORAM : S.A.BOBDE, J.
DATED : 17TH JUNE, 2005

P.C.

. The petitioner who has suffered a decree for specific performance has challenged the order dated 10th August, 2004 rejecting his objection in execution. In the course of execution proceedings the petitioner who is the judgment debtor against whom the decree for specific performance was passed has raised an objection that he is the owner of the property and, therefore, the sale deed should be rejected. The trial Court has rightly observed that this cannot be done in execution proceedings. There is no infirmity in the order of the executing Court as confirmed by the learned District Judge, Sangli by the Appellate order dated 10th August, 2004. Petition rejected.

(S.A. BOBDE, J.)